

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on April 8, 2015 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Sen. John Brenden (R)
Sen. Bradley Hamlett (D)
Sen. Kris Hansen (R) (arrived after roll call)
Sen. David Howard (R)
Sen. Jim Keane (D)
Sen. Frederick (Eric) Moore (R) (arrived after roll call)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Janna Taylor (R) (arrived after roll call)
Sen. Roger Webb (R)
Sen. Jonathan Windy Boy (D)
Sen. Cynthia Wolken (D)

Members Excused:

Sen. Mark Blasdel (R)
Sen. Mary Caferro (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 196, 4/1/2015; HB 228, 4/1/2015; HB 251, 4/1/2015; HB 337, 4/1/2015; HB 381, 4/7/2015; HB 487, 4/1/2015; HB 562, 4/7/2015; HB 9, 4/1/2015

Executive Action: HB 337 Be Concurred In; HB 381 Be Tabled; HB 562 Be Concurred In; HB 575 Be Concurred In; HB 251 Be Tabled; HB 196 Be Tabled

Chair Jones left the meeting. Vice Chair Keenan assumed the chair.

HEARING ON HB 228

Opening Statement by Sponsor:

00:02:20 Rep. Tom Berry (R), HD 40, opened the hearing on HB 228, Increase coal board funding until June 30, 2019.

Proponents' Testimony:

00:04:38 Bud Clinch, executive director, Montana Coal Council (MCC)

[EXHIBIT\(fcs70a01\)](#)

00:08:35 Bob Gilbert, Musselshell County, Rosebud County, Dawson County, Phillips County and Glendive County

00:09:51 Sen. Duane Ankney, SD 20

00:11:39 Robert Goffena, county commissioner, Musselshell County

00:13:22 Jim Atchison, Southeast Montana Development Association

[EXHIBIT\(fcs70a02\)](#)

Opponents' Testimony:

00:16:26 Doug Mitchell, deputy director, Department of Commerce (COM)

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:25 Sen. Ripley

00:18:53 Mr. Mitchell, COM

00:19:52 Sen. Ripley

00:20:09 Mr. Mitchell

00:20:36 Sen. Ripley

00:21:52 Rep. Berry

00:23:07 Sen. Ripley

00:23:27 Rep. Berry

00:23:40 Sen. Hamlett

00:24:33 Mr. Goffena, Musselshell County

00:25:57 Sen. Hamlett

00:26:06 Mr. Goffena

00:28:23 Sen. Hamlett

00:28:32 Mr. Goffena

Closing by Sponsor:

00:29:13 Rep. Berry

HEARING ON HB 196

Opening Statement by Sponsor:

00:31:08 Rep. Susan Webber (D), HD 16, opened the hearing on HB 196, Generally revise laws related to tribal colleges and other community colleges.

Proponents' Testimony:

00:32:46 Shannon O'Brien, education advisor, Office of the Governor (GOV)

00:33:46 Rep. Bruce Meyers, HD 32

00:36:22 Shane Morigeau, Confederated Salish Kootenai Tribes (CSKT), Salish Kootenai College

EXHIBIT(fcs70a03)

00:40:37 Nathaniel St. Pierre, president, Stone Child College

00:52:52 Laura John, state tribal policy analyst, Montana Budget and Policy Center (MBPC)

EXHIBIT(fcs70a04)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:11 Sen. Moore

00:59:50 Ms. O'Brien, GOV

01:00:03 Sen. Moore

01:00:14 Rep. Webber

01:01:17 Vice Chair Keenan

01:01:42 Ms. John, MBPC

01:01:47 Vice Chair Keenan

01:02:03 Ms. John

01:02:50 Vice Chair Keenan

01:03:07 Mick Robinson, Office of Commissioner of Higher Education (OCHE)

01:03:36 Vice Chair Keenan

01:03:56 Mr. Robinson, OCHE

01:04:28 Vice Chair Keenan

01:04:32 Ms. John

01:05:10 Vice Chair Keenan

01:05:13 Ms. John

01:05:24 Sen. Windy Boy

01:06:03 Mr. St. Pierre, Stone Child College

01:07:37 Vice Chair Keenan

01:08:13 Mr. St. Pierre

01:09:49 Sen. Hamlett

01:10:24 Sen. Windy Boy

01:11:05 Sen. Ripley

01:11:27 Vice Chair Keenan

Informational Witness:

01:11:49 Micaela Kurth, Legislative Fiscal Division (LFD)

Closing by Sponsor:

01:13:17 Rep. Webber

Chair Jones joined the meeting. Vice Chair Keenan left the meeting.

HEARING ON HB 251

Opening Statement by Sponsor:

01:17:12 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 251, Providing for temporary legislative aides.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:21:01 Sen. Phillips
01:21:44 Rep. Essmann
01:22:48 Sen. Phillips
01:23:24 Rep. Essmann
01:24:25 Sen. Wolken
01:24:54 Rep. Essmann
01:26:03 Chair Jones
01:26:46 Rep. Essmann

Closing by Sponsor:

01:27:21 Rep. Essmann

HEARING ON HB 337

Opening Statement by Sponsor:

01:28:01 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 337, Increase resource limits for medicaid program for workers with disabilities.

01:31:42 Chair Jones left the meeting and Vice Chair Keenan assumed the chair.

Proponents' Testimony:

01:32:02 Joel Peden, Montana Centers for Independent Living (MCIL)

01:40:33 Beth Brenneman, Disability Rights Montana (DRM)

Opponents' Testimony: None

Informational Testimony:

01:41:26 Duane Preshinger, Department of Public Health and Human Services (DPHHS)

01:41:50 Jon Moe, Legislative Fiscal Division, LFD

Questions from Committee Members and Responses:

01:42:20 Sen. Windy Boy

01:43:07 Mr. Preshinger, DPHHS

01:43:57 Sen. Windy Boy

01:44:28 Mr. Preshinger

01:44:37 Sen. Windy Boy

01:44:47 Mr. Peden, MCIL

01:46:07 Sen. Hamlett

01:46:38 Rep. Karjala

01:47:38 Vice Chair Keenan

01:48:07 Mr. Preshinger

01:48:21 Katherine Buckley-Patton, DPHHS

01:52:45 Sen. Wolken

01:52:58 Ms. Buckley-Patton

Closing by Sponsor:

01:53:27 Rep. Karjala

HEARING ON HB 381

Opening Statement by Sponsor:

01:57:12 Rep. Tom Burnett (R), HD 67, opened the hearing on HB 381, Require certain state agencies to report on federal receipts.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:01:43 Rep. Burnett

HEARING ON HB 487

Opening Statement by Sponsor:

02:03:30 Rep. Donald Jones (R), HD 46, opened the hearing on HB 487, Create statutory appropriations for old governor's mansion and MHS fees.

Proponents' Testimony:

02:05:22 Denise King, Montana Historical Society (MHS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:06:59 Sen. Hansen
02:07:10 Rep. Jones
02:07:43 Sen. Jones joined the meeting.
02:07:56 Sen. Keane
02:08:28 Rep. Jones
02:08:37 Sen. Sesso
02:09:04 Rep. Jones
02:09:20 Ms. King, MHS
02:09:43 Sen. Sesso
02:10:42 Ms. King
02:11:01 Vice Chair Keenan
02:11:07 Sen. Hansen

Closing by Sponsor:

02:11:25 Rep. Jones
02:12:03 Sen. Phillips

HEARING ON HB 562

Opening Statement by Sponsor:

02:12:40 Rep. G. Bruce Meyers (R), HD 32, opened the hearing on HB 562, Require agency reporting on financial assistance to tribes.

Proponents' Testimony:

02:16:42 Rep. Tom Burnett, HD 67

Opponents' Testimony:

02:17:10 Sen. Jonathan Windy Boy, SD 16

Informational Testimony: None

Questions from Committee Members and Responses:

02:18:47 Sen. Hansen
02:19:19 Rep. Meyers
02:22:56 Sen. Hansen
02:23:00 Rep. Meyers
02:23:06 Chair. Jones assumed the chair.
02:23:12 Sen. Windy Boy
02:24:47 Rep. Meyers
02:28:25 Sen. Windy Boy

Closing by Sponsor:

02:29:57 Rep. Meyers

HEARING ON HB 9

Opening Statement by Sponsor:

02:33:23 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 9, Cultural and Aesthetic Grants.

[EXHIBIT\(fcs70a05\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

02:36:58 Arni Fishbaugh, director, Montana Arts Council
02:37:20 Cathy Duncan, Legislative Fiscal Division (LFD)

[EXHIBIT\(fcs70a06\)](#)

Questions from Committee Members and Responses:

02:38:05 Sen. Ripley
02:38:41 Rep. Cuffe
02:39:27 Sen. Ripley
02:39:36 Rep. Cuffe
02:39:50 Chair Jones
02:40:19 Ms. Duncan, LFD
02:41:35 Chair Jones
02:42:02 Ms. Duncan

Closing by Sponsor:

02:42:27 Rep. Cuffe

02:45:15 Recess
03:10:03 Reconvene

EXECUTIVE ACTION ON HB 337

03:10:21 **Motion/Vote:** Sen. Keenan moved that **HB 377 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Blasdel and Sen. Caferro voted by proxy. Sen. Windy Boy will carry the bill.

EXECUTIVE ACTION ON HB 381

03:11:42 **Motion:** Sen. Keenan moved that **HB 381 BE CONCURRED IN**.

Discussion:

03:11:50 Sen. Sesso
03:12:13 Sen. Hansen
03:13:07 Sen. Sesso
03:13:17 Chair Jones
03:13:25 Sen. Hamlett
03:13:47 Chair Jones

03:13:57 **Vote:** Motion failed 9-10 by roll call vote with Sen. Blasdel, Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. Keenan, Sen. F. Moore, Sen. C. Smith, Sen. Taylor and Sen. Webb voting aye. Sen. Blasdel and Sen. Caferro voted by proxy.

03:14:56 **Motion/Vote:** Sen. Keenan moved that **HB 381 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-9 by voice vote with Sen. Blasdel, Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. Keenan, Sen. F. Moore, Sen. C. Smith, Sen. Taylor and Sen. Webb voting no. Sen. Blasdel and Sen. Caferro voted by proxy.

EXECUTIVE ACTION ON HB 562

03:15:24 **Motion:** Sen. Keenan moved that **HB 562 BE CONCURRED IN**.

Discussion:

03:15:53 Sen. Windy Boy
03:19:20 Sen. Hansen
03:21:02 Sen. Windy Boy

03:21:57 **Vote:** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Blasdel and Sen. Caferro voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 575

03:23:00 **Motion:** Sen. Keenan moved that **HB 575 BE CONCURRED IN**.

03:23:21 **Motion:** Sen. Hansen moved that **HB 575 BE AMENDED.**
[EXHIBIT\(fcs70a07\)](#)

Discussion:

03:23:24 Sen. Hansen
 03:24:14 Sen. Keane

03:24:15 **Vote:** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Blasdel and Sen. Caferro voted by proxy.

Sen. Ripley left the meeting.

03:25:41 **Motion:** Sen. Keenan moved that **HB 575 BE CONCURRED IN AS AMENDED.**

Discussion:

03:25:52 Sen. Phillips
 03:26:38 Sen. Hansen
 03:27:24 Sen. Hamlett
 03:27:48 Sen. Phillips
 03:28:15 Sen. Hansen
 03:28:31 Sen. Sesso
 03:30:14 Sen. Windy Boy

03:30:45 **Vote:** Motion carried 13-6 by roll call vote with Sen. Caferro, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Blasdel, Sen. Caferro and Sen. Ripley voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 251

03:31:49 **Motion:** Sen. Keenan moved that **HB 251 BE CONCURRED IN.**

Discussion:

03:32:12 Sen. Keane
 03:32:53 Sen. Hamlett
 03:33:14 Sen. Windy Boy
 03:33:26 Sen. Hansen
 03:33:51 Sen. Brenden
 03:34:49 Sen. Phillips
 03:35:17 Sen. Sesso

03:37:43 **Vote:** Motion failed 6-13 by roll call vote with Sen. Blasdel, Sen. Hansen, Sen. F. Moore, Sen. Rosendale, Sen. Taylor and Sen. Windy Boy voting aye. Sen. Blasdel, Sen. Caferro and Sen. Ripley voted by proxy.

03:38:36 **Motion/Vote:** Sen. Keenan moved that **HB 251 BE TABLED AND THE VOTE REVERSED**. Motion carried 13-6 by voice vote with Sen. Blasdel, Sen. Hansen, Sen. F. Moore, Sen. Rosendale, Sen. Taylor and Sen. Windy Boy voting no. Sen. Blasdel, Sen. Caferro and Sen. Ripley voted by proxy.

EXECUTIVE ACTION ON HB 196

03:38:44 **Motion:** Sen. Keenan moved that **HB 196 BE CONCURRED IN**.

Discussion:

03:39:05 Sen. Hamlett
03:39:26 Sen. Windy Boy
03:40:10 Sen. Keenan
03:41:27 Sen. Hamlett
03:42:14 Sen. Windy Boy

03:43:07 **Vote:** Motion failed 9-10 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Hansen, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Taylor, Sen. Windy Boy and Sen. Wolken voting aye. Sen. Blasdel, Sen. Caferro and Sen. Ripley voted by proxy.

03:44:10 **Motion/Vote:** Sen. Keenan moved that **HB 196 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-9 by voice vote with Sen. Caferro, Sen. Hamlett, Sen. Hansen, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Taylor, Sen. Windy Boy and Sen. Wolken voting no. Sen. Blasdel, Sen. Caferro and Sen. Ripley voted by proxy.

03:44:18 Chair Jones

ADJOURNMENT

Adjournment: 11:46 a.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs70aad.pdf](#))